

Received & Inspected

OCT 31 2011

FCC Mail Room



October 22, 2011

Letter of Appeal
Marlene H. Dortch, Secretary
FCC, Office of the Secretary
445 12th Street SW
Washington, DC 20554

Re: Esperanza Academy Charter School
Billed Entity Number: 123420
Funding Year: 2006 (07/1/2010 - 06/30/2011)
471 Application Number: 745332
Funding Request Numbers: 2011683
CC Docket No. 02-6

We are writing to request a review the decision not to fund FRN 2011683, as indicated in the recently received Funding Commitment Decision Letter (FCDL) dated August 25, 2011.

The FCDL offered explanation that the DENIAL of this funding request was because "*Applicant has not provided sufficient documentation to determine the eligibility of this item. No documentation was provided for item(s): Server Function for Barracuda Server 890.*"

This is not correct. We supplied the PIA reviewer with sufficient information to support our funding request. If it was not sufficient, the reviewer should have contacted us to inform us of that, allowing us to provide additional documentation.

The equipment in question is a backup device, similar to tape backup, not a server. We explained this to the reviewer in our response. Since the functionality of a backup device should not be limited to a single medium, tape, we felt that the barracuda backup system met the requirements of eligibility. Why would it matter if a backup device wrote data to a tape, an optical drive, a hard drive, or to the cloud, it was essentially performing the same functionality across all media? In this case. We forewent remote backup in favor of local backup, regardless of medium.

The cause of denial is too general. It does not address the specifics of the functionality of the device. We ask that this decision be reviewed and that the decision on FRN be reversed.

Sincerely,


Martin Friedman,
Consultant, Esperanza Academy Charter School

Attachments: Copy of response to USAC PIA Reviewer
Relevant Item 21 Attachment documents



Schools and Libraries Division

June 5, 2010

Lorena McLean
Associate Manager-PIA Reviewer
Schools and Libraries
Telephone/Fax

lmclean@sl.universalservice.org

973-581-7580/973-599-6579

ESPERANZA ACADEMY
Application Number

745332

Response Due Date: June 14, 2010

Ms McLean,

Mildred Amil is no longer with the school. We have contacted USAC and submitted a change of contact to David Rossi. Your reply follows.

I – For FRN(s) 2011617, 2011636, 2011645, 2011676, 2011683 and 2011696, the documentation provided in the Item 21 Attachments is not sufficient to determine the eligibility of your request(s). Please provide a detailed list of the products and services you are requesting, such as:

- the make and model of the product,
- documentation identifying the cost associated with the product/service and its component parts,
- a breakdown of the components that make up a product,
- documentation identifying the cost associated with the maintenance, installation, or warranty of ineligible equipment, etc.

FRN 2011617 is for Servers, FRN 2011636 is for Cabling, FRN 2011645 is for LAN Electronics, FRN 2011676 is for a Video Distribution System, FRN 2011683 is for a Tape Backup, and FRN 2011696 is for a PBX. All of the information you request was included in the Item 21 documents submitted on April 20th and are attached here.

II. Based on the documentation that you have provided, your FY2010 Form 471 application # 745332 FRN 2011706, 2011718, 2011737, 2011751, 2011759 and 2011771 includes a request for Basic Maintenance of Internal Connections. However, we were not able to determine the eligibility of your request.

Please provide additional detailed information about your request, including a complete list of equipment to be maintained, equipment quantities, and make and model number.

Esparanza Academy Charter School
 301 W. Hunting Park Ave.
 Philadelphia, PA 19140
 215.457.3667
 SLD Form #: 900100000800272

FRN: 2011683

MICRO Technology Groupe, Inc.
 200 Rittenhouse Circle West, Unit 3
 Bristol, PA 19007
 SPIN 143008940

PROJECT #: 12 **NAME OF PROJECT:** Optical Back Up

TOTAL COST (A+B): \$43,486.00

SECTION A: FOR ELIGIBLE COMPONENTS:

Qty Units/Hrs	Product/Service Description	UNIT COST	TOTAL Non-Recurring
2	Barracuda Backup Server 890	\$15,749.00	\$31,498.00
2	One Year Instant Replacement - includes 24x7 service and next day replacement for a failed unit	\$3,499.00	\$6,988.00
2	Installation and configuration of Barracuda Backup Server 890	\$2,500.00	\$5,000.00
TOTAL SECTION A			\$43,486.00

Comments:

The Barracuda Backup Service is required with the purchase of the Barracuda Backup Server 890. This can be used for critical applications and is an annual recurring fee. Three options are provided below.

SECTION B: FOR INELIGIBLE COMPONENTS:

Qty Units/Hrs	Product/Service Description	UNIT COST	TOTAL Non-Recurring
2	Barracuda Off-Site Backup Service for 12 months 100GB	\$545.00	\$1,090.00
2	Barracuda Off-Site Backup Service for 12 months 300GB	\$1,630.00	\$3,260.00
2	Barracuda Off-Site Backup Service for 12 months 500GB	\$2,718.00	\$5,436.00
TOTAL SECTION B		N/A	N/A

FRN 2011706 is for a LAN Maintenance Agreement, FRN 2011718 is for a Wire & Cable Maintenance Agreement, FRN 2011737 is for a Maintenance Agreement on an existing PBX, FRN 2011751 is for a Maintenance Agreement on an existing PVBX, FRN 2011759 is for warranties on existing servers, and FRN 2011771 is for warranties on existing switches. All of the information you request was included in the Item 21 documents submitted on April 20th and are attached here.

Esperanza Academy Charter School – 471 #745332
EACS_Y13-2 - eRate Year 13
Item #21 Attachments

ATTACHMENT #1
FRN 2011617

Micro Technology Groupe, Inc.
Servers @ \$31,291.75
1 – DNS, 1 – DHCP, 1 - eMail

ATTACHMENT #2
FRN 2011636

ComTec Systems, Inc.
Cabling @ \$226,365.50

ATTACHMENT #3
FRN 2011645

Micro Technology Groupe, Inc.
Network Electronics @ \$123,714.00

ATTACHMENT #4
FRN 2011676

Interactive Digital Solutions, LLC
Video Distribution System @ \$51,862.84

ATTACHMENT #5
FRN 2011683

Micro Technology Groupe, Inc.
Optical Tape Back Up @ \$43,486.00

Esperanza Academy Charter School – 471 #745332
EACS_Y13-2 - eRate Year 13
Item #21 Attachments

ATTACHMENT #6
FRN 2011696

ComTec Systems, Inc.
PBX @ \$52,847.35

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ATTACHMENT #7
FRN 2011706

Micro Technology Groupe, Inc.
LAN Maintenance Agreement @ \$43,750.00/year (\$3,645.83/mo)
1st year of 3-year contract

3	HP Blade Servers – BL20p G3 (1 – DNS; 1 – DHCP; 1 – Exchange email)
4	Cisco Switches -3750 – 48 port
16	Cisco GBICs
1	Cisco Catalyst 2821 XM Dual
8	Cisco Catalyst -3560G-48
1	Cisco PIX 525UR Firewall
2	Cisco 3825 Port T1 CSU/DSU WAN card
2	APC UPS RT 1500VA
4	APC UPS RT 2000VA RM 120A
1	HP StorageWorks tape back up
20	Cisco Aironet 1230AG
2	Cisco Aironet 1240AG

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ATTACHMENT #8
FRN 2011718

Micro Technology Groupe, Inc.
Wire & Cable Maintenance Agreement @ \$6,800.00/year (\$566.67/mo)
1st year of 3-year contract

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Esperanza Academy Charter School – 471 #745332
EACS_Y13-2 - eRate Year 13
Item #21 Attachments

ATTACHMENT #9

FRN 2011737

ComTec Systems, Inc.
PBX Maintenance Agreement @ \$21,500.00/year (\$1,791.67/mo)

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ATTACHMENT #10

FRN 2011751

Micro Technology Groupe, Inc.
PVBX Maintenance @ \$13,000/year (\$1,083.33/mo)
1st year of 3-year contract

Innovative Technology PVBX Unit

1	32x32 PVBX Switch
25	Video Modulator Pair
2	Video Modulator Supply
3	Agile Modulator
1	Back up UPS APC 2200 RM3U

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ATTACHMENT #11

FRN 2011759

Micro Technology Groupe, Inc.
Extended Warranty- Servers @ \$525.00/year (\$43.75/mo)
(3) HP Blade Servers – BL20p G3 servers (as above)

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ATTACHMENT #12

FRN 2011771

ComTec Systems, Inc.
Extended Warranty- Switches @ \$45,853.32/year (\$3,821.11/mo)

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